IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE SIXTEENTH DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO : 23238 of 2004

Between:

1 Pragallapati Subrahmanyam, S/o Krishna Murthy,
2 Kancharla Srinivasa Rao, S/o Satyanarayana,
3 Kancharla Kumar, S/o Satyanarayana,
4 Kancharla China Satish Kumar, S/o Satyanarayana,
5 Manepalli Vijaya Lakshmi W/o Satyanarayana,
6 Bogharaju Venkataratnam, S/o Rama Rao,
7 Yanamandra Veerabhadramma, w/o Subbarayudu,
All are residents of Jangareddygudem Village & Mandal
West Godavari District.

..... PETITIONERS

AND

The Mandal Revenue Officer, Jangareddigudem, West Godavari District.

.....RESPONDENT

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may pleased to issue order, direction more particularly one in the nature of writ of Mandamus declare the action of the respondent in trying to disposses the petitioners from their respective plots situated in R.S.No. 323/2 of Jangareddigudem Village and Mandal, West Godavari District as illegal, arbitrary and violative Article 14 and 300-A of the Constitution of India and consequentially direct the respondent not to evict the petitioners from their respective plots situated in R.S.No. 323/2 of Jangareddigudem village, West Godavari District and to pass such further order or orders

Counsel for the Petitioner:MR.P.R.K.AMERANDRA KUMAR

Counsel for the Respondent No.: GP FOR REVENUE

The Court at the stage of admission made the following :

ORDER:

The petitioners 2 to 7 claim to be owners of different extents of land in survey No.323/2 , Jangareddigudem village and Mandal, West Godavari district having purchased the same under registered sale deeds from the first petitioner. The petitioners claim to be possession of their respective extents of lands from the date of purchase. The petitioners contend that the subject land is a private land and without issuing any notice or following the due procedure contemplated under law, the Mandal Revenue Officer is trying to evict them from the said land and to alienate the same to some third parties. Hence, the writ petition.

Heard the learned counsel for petitioner and learned Government Pleader for Revenue. Both counsel agreed for disposal of the writ petition at the admission stage.

Since the petitioners contend that the subject land is a private land and the respondent is interfering with the same, I deem it appropriate to dispose of the writ petition directing the Mandal Revenue Officer to follow due procedure contemplated under law, before dispossessing the petitioners from the subject land, if any. If the respondent has already issued the required notice and followed the due procedure or the subject land is a Government land, the respondent is at liberty to proceed further in the matter in accordance with law.

Subject to above direction, the writ petition is disposed of. No costs.

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N.V.RAMANA,J

16-12-2004

TVK

To

1.. The Mandal Revenue Officer, Jangareddigudem, West Godavari District.

2.2CCs to G.P. for Revenue, High Court of A.P. buildings, Hyderabad

(OUT)

3.2CD copies

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